

Application No. 09/986,535
Supplemental Response

REMARKS

Claims 3, 5-8, 12 and 24-28 are pending. The Applicants thank Examiner Lewis for indicating that this application would likely be in condition for allowance, subject to final review, if the Applicants perfected the deposit requirement. The Applicants now do so below.

Biological Deposit

The Applicants attach herewith a copy of the Certificate for Trust showing the deposit of strain FERM P-18099.

Aureobasidium strain FERM P-18099 was deposited under the terms of the Budapest Treaty. As required by 37 C.F.R. 1.808, subject to the one exception permitted by 37 C.F.R. 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon granting of the patent. See MPEP 2410.01.

CONCLUSION


In view of the above remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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